

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,
vs.
MITCHELL KURLANDER and
ALAN ABESHAUS,
Defendants.

Case No. 11-cr-00315 (WHW)

**CONTINUANCE AND
SCHEDULING ORDER**

THIS MATTER having been opened to the Court upon the joint application of the United States of America (Assistant U.S. Attorney Eric T. Kanefsky appearing) and defendant Mitchell Kurlander (William A. DeStefano appearing) and defendant Alan Abeshaus (Kevin H. Marino appearing), for an order granting a continuance of the proceedings in the above-captioned matter and for a scheduling order, and the defendants being aware that they have the right to have the matter brought to trial within 70 days of the date of their appearance before a judicial officer of this court pursuant to Title 18, United States Code, Section 3161(c)(1), and the defendants having consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. The matter has been designated as a complex case pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii) by order dated September 12, 2011 [Dkt. # 19];
2. Defendants have consented to the aforementioned continuance; and
3. As a result of the foregoing, the ends of justice serve by granting the continuance

outweigh the best interests of the public and the defendants in a speedy trial.

WHEREFORE, on this 29 day of November, 2011,

IT IS ORDERED that no later than February 13, 2012, Defendants shall file all motions that may be brought by way of Fed. R. Crim. P. 12. The Government shall file any responsive brief within thirty (30) days of the filing of Defendants' motion. Defendants shall file any reply brief within ten (10) days of the filing of the Government's response. A hearing on the Rule 12 motions will be held on April 17, 2012.

IT IS FURTHER ORDERED that the deadline to serve pretrial motions not otherwise provided for above is August 13, 2012. Responsive briefs shall be filed on or before September 10, 2012. Any reply briefs shall be filed on or before September 17, 2012. A hearing on the pretrial motions will be held on October 16, 2012.

IT IS FURTHER ORDERED that the trial is scheduled for October 1, 2012; and

IT IS FURTHER ORDERED that this action be, and hereby is, continued until October 1, 2012, and that the period from the date of this Order through October 1, 2012 shall be excludable in computing time under the Speedy Trial Act of 1974.

IT IS FURTHER ORDERED that the remaining provisions of the Order for Discovery and Inspection shall remain in full force and effect.



HON. WILLIAM H. WALLS
United States Senior District Judge